

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

R. ALEXANDER ACOSTA, Secretary *
of Labor, United States *
Department of Labor, *

Petitioner, *

v. *

MC 119-007

NATIONAL DRYWALL, L.L.C., *

Respondent. *

O R D E R

Before the Court is Petitioner's Petition for Enforcement of Administrative Subpoena *Duces Tecum* ("Petition"). (Doc. 1.) Petitioner, in part, requests the Court enter an order requiring Respondent to show cause why a certain subpoena *duces tecum* should not be enforced.

On January 7, 2019, the Wage and Hour Division, Region IV, of the United States Department of Labor ("WHD") opened an investigation to determine Respondent's coverage under and compliance with the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §§ 201, et seq. In pursuit thereof, on February 21, 2019, Betty R. Campbell, Acting Regional Administrator of WHD, issued a subpoena *duces tecum* to Respondent pursuant to authority granted to WHD by 29 U.S.C. §§ 209, 211. (Doc. 1-2, Ex. A.) Respondent was duly served with the subpoena but failed to comply

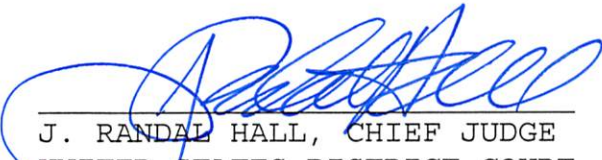
within the designated period. (Id. ¶¶ 12, 13.) Respondent has also yet to respond to this Petition.

Upon due consideration, the Court **HEREBY ORDERS** as follows:

- (1) Respondent **SHALL** file and serve its response to the Petition no later than **June 7, 2019**;
- (2) Should Respondent file a response raising any objection to the enforcement of the subpoena, Respondent **SHALL** appear for a hearing on **Tuesday, June 11, 2019, at 10:00 a.m.**, in Courtroom 2 of the Federal Justice Center located at 600 James Brown Boulevard, Augusta, Georgia, 30901, and **SHOW CAUSE** why the subpoena should not be enforced; and
- (3) Petitioner **SHALL** serve Respondent, without delay, a copy of this Order, the Petition on which this Order is based (Doc. 1), and the memorandum in support thereof (Doc. 1-1).

The Court will address Petitioner's remaining requests for relief after Respondent's time to show cause has expired.

ORDER ENTERED at Augusta, Georgia, this 24th day of May, 2019.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA